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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Igor K. Kotliar
Serial No. : 10/726737
Filed: : December 03, 2003
Title of
Invention: Hypoxic Aircraft Fire Prevention and Suppression System with Automatic
Emergency Oxygen Delivery System
Group Art Unit: 3752
Examiner : Ganey Steven J. Phone: 571-272-4899

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

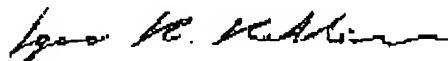
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Washington, D.C. 20231

Igor K. Kotliar



AMENDMENT -25/07/2006

SIR:

In response to the office communication mailed 05/18/2006, please find the following consideration
and a corrected Amendment:

Applicant believes that Examiner made a mistake by rejecting a majority of claims in his Final Action. Examiner declares that "the upper range of below 16%has not been disclosed in the specification", which probably resulted from a simple oversight. In fact, Claim 9 of the original specification says: "the oxygen content in said hypoxic air propelling water mist being below 16%". This claim covers all applications and, as a result, it should establish a fire-extinguishing atmosphere containing 16% of oxygen.

Additionally, Claim 1 describes that "oxygen-depleted gas mixture being constantly supplied into fuel tanks" also "being **selectively** supplied into cargo compartments of the aircraft establishing there a constant fire-preventive atmosphere or emergency fire-suppression environment, **depending on design or situation**; The oxygen content in said fire-preventive atmosphere being maintained in the range from 12% to 16%". By "selectively" Applicant describes that the same gas mixture can be selectively sent to fuel tanks or cargo compartments "depending on design or situation". Applicant, though being not native in English, still believes that the word "selectively" is appropriate here since, according to Webster's "selection" means "choice, election, determination and preference".

This "selective" situation is supported by the text in the Description of the Invention on page 10, lines 10-15, which says:

"In some types of aircraft, in order to save on weight and volume, a single module 19 can be employed, instead of two, to protect all compartments including the cabin 11. In case of the cabin fire all ODA produced by module 19 will be supplied into cabin 11, leaving fuel tanks and cargo compartments unprotected for a limited amount of time necessary to suppress fire in cabin 11."

Followed by the Final Action, Applicant was able to get a professional help by consulting a patent attorney (registration No. 31,110), which resulted in two sets of claims provided below. It is believed that either of the sets of claims should overcome the rejections, therefore Applicant respectfully appeals that Examiner accepts one of the submitted sets of claims (Set II would be preferred, if possible).

Should Set II of claims be allowable, please consider all previous claims 1-45 as being cancelled.